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11 Attorneys for Defendant
12 GRANITE ROCK COMPANY.

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
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16 LEOPOLDO PENA MENDOZA, ELVIZ
17 SANCHEZ AND JOSE ARMANDO
CORTES,

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19 Plaintiff,

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22 v.

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24 FONSECA McELROY GRINDING CO.
25 INC. and GRANITE ROCK COMPANY;

26 Defendants.
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Case No. 15-CV-05143-WHO

**STIPULATION & ORDER TO EXTEND FACT
AND EXPERT DISCOVERY CUT-OFF
DATES**

HON. WILLIAM H. ORRICK

1 WHEREAS, the fact discovery cut-off date in this matter is November 1, 2016 and the expert
2 discovery cut-off date is November 30, 2016;

3 WHEREAS, the parties have filed cross- motions for partial summary judgment, which are
4 set for hearing on October 26, 2016, on the discrete legal issue of whether traveling to and from a
5 public works project under the facts in this case is covered by prevailing wage obligations and if so
6 if Plaintiffs were properly compensated;

7 WHEREAS the parties have scheduled a mediation in this matter with mediator Ray Wong
8 for November 29, 2016; and

9 WHEREAS this matter is set for a bench trial on May 8, 2017;

10 THEREFORE, in order to provide the parties with ample time to conduct discovery if they
11 are not able to resolve this matter at mediation, the parties hereby stipulate and agree to continue the
12 fact discovery cut-off date to January 31, 2017 and to continue the expert discovery cut-off date to
13 February 15, 2016, with expert disclosure on or before January 15, 2016.

14 IT IS SO STIPULATED

15 Dated: October 17, 2016

//s// Tomas Margain

16 TOMAS MARGAIN
17 Counsel for Plaintiffs LEOPOLDO PENA
18 MENDOZA, ELVIZ SANCHEZ and JOSE
19 ARMANDO CORTES

20 Dated: October 17, 2016

//s// Paul V. Simpson

21 PAUL V. SIMPSON
22 Counsel for Defendant GRANITE ROCK
23 COMPANY
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ORDER

IT IS HEREBY ORDERED pursuant to the parties' Stipulation, and Good Cause appearing therefore, that the fact discovery cut-off date in this matter is continued to January 31, 2017 and that the expert discovery cut-off date is continued to February 15, 2016, with expert disclosure on or before January 15, 2016.

IT IS SO ORDERED:

Dated: October 17, 2016

By: _____



WILLIAM H. ORRICK
UNITED STATES DISTRICT COURT
JUDGE